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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/664,550

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Seung June Yi

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4285

35884

7590

08/20/2009

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EXAMINER

GEORGEWILL, OPIRIBO

ART UNIT

PAPER NUMBER

2617

NOTIFICATION DATE

DELIVERY MODE

08/20/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/664,550	<b>Applicant(s)</b> YI ET AL.	
	<b>Examiner</b> OPIRIBO GEORGEWILL	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-94 is/are pending in the application.
- 4a) Of the above claim(s) 1-76 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 77-94 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/05/07, 11/16/06, 01/26/06, 04/02/04</u> .                  | 6) <input type="checkbox"/> Other: _____                          |



## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

3. **Claims 77, 78, 81, 82, 83, 86, 87, 90, 91, 92 are rejected under 35 U.S.C. 102(e) as being anticipated by Beckmann et al., US Pub No. 20030035423 A1**

Re claim **77**, Beckmann discloses a method for providing multicast service in a wireless communication system (see abstract), the method comprising mapping at least one logical channel into a transport channel (paragraph 10, logical channel which is also projected (mapped) onto a transport channel) transmitting data of the at least one logical channel to a receiving end through the transport channel (paragraph [52], data which is sent over other logical channels can be sent over the same transport channel)

wherein the data is added with a header including a first identifier for identifying the at least one logical channel and a second identifier for identifying the multicast service (fig 2, paragraph [52], TCTF field indicates from which type of logic channel; paragraph [53], MC-ID contains information by which the multicast group can be identified)

The rejection of claim 77 is incorporated herein. Claim 78, 81, 83 depend on claim 77 and only further limitations will be addressed below.

Re claim **78**, Beckmann discloses that the first identifier is a TCTF (fig 2, paragraph [51])

Re claim **81**, Beckmann discloses a third identifier for distinguishing a type of the second identifier included in the header (fig 2, ref IE-id type; paragraph [53], if there are several possibilities for the identification of the multicast group, a further field MC-ID type may be additionally added, indicating the type of multicast group identification).

The rejection of claim 81 is incorporated herein. Claim 82 depends on claim 81 and only further limitations will be addressed below.

Re claim **82**, Beckmann discloses that the third identifier is a UE ID type (fig 2).

Re claim **83**, Beckmann discloses that the at least one logical channel is a dedicated logical channel (fig 4, case 2a, where Beckman shows a DTCH as the logical channel).

Re claim **86**, the claim is the receiving part of the transmission carried out in claim 77. Beckmann discloses the transmission and receiving of the data (fig 1, fig 4). Claim 86 is therefore rejected for the same essential reasons as claim 77 above.

Re claim **87**, as applied to claim 86 above, it is essentially similar to claim 78 and is rejected for the same reasons as above.

Re claim **90**, as applied to claim 86 above, it is essentially similar to claim 81 and is rejected for the same reasons as above.

Re claim **91**, as applied to claim 90 above, it is essentially similar to claim 82 and is rejected for the same reasons as above.

Re claim **92**, as applied to claim 86 above, it is essentially similar to claim 83 and is rejected for the same reasons as above.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in **Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966)**, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows: (***See MPEP Ch. 2141***)

- a. Determining the scope and contents of the prior art;
- b. Ascertaining the differences between the prior art and the claims in issue;

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- c. Resolving the level of ordinary skill in the pertinent art; and
- d. Evaluating evidence of secondary considerations for indicating obviousness or nonobviousness.

**5. Claims 79, 80, 88, 89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckmann US Pub No. 20030035423 A1, as applied in claim 77 above, in view of Applicant's Admitted Prior Art (herein forth "AAPA").**

The rejection of claim 77 is incorporated herein. Claims 79, 80 depend on claim 77 and only further limitations will be addressed below.

Re claim **79**, Beckman discloses the claimed invention including that MC-ID field contains information by which the multicast group can be identified (paragraph [53]) but is silent on the specifics of the identifier. AAPA in discloses MBMS data and the MAC layer adding a MAC header to the received MBMS data (page 12, lines 2 – 13). It would have been obvious to a person having ordinary skills in the art, at the time of the invention to incorporate the MBMS data the disclosure of AAPA into the teaching of Beckmann to have an MBMS identifier as the information by which the multicast group can be identified so as to send messages to a targeted group of recipients without significant additional administrative efforts and with low transmission bandwidth requirements.

Re claim **80**, the combined teaching of Beckmann in view of AAPA discloses that the MMBS identifier is an RNTI (AAPA Amendment to specification, page 3, 6<sup>th</sup> paragraph - page 4, third paragraph, AAPA discloses that when data transmitted via a common transport channel, a MAC-c/sh entity adds the RNTI to

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the header of a MAC PDU). The combined teaching of Beckmann in view of AAPA is silent about an m-RNTI. However since the RNTI identifies the terminal, or in the case of a group multicast, multiple terminals, it would be obvious to have a group identifier (as disclosed by Beckmann in Paragraph [54]) that is of type Radio Network Temporary Identifier (as disclosed by AAPA) for a MBMC group so as to identify the group.

Re claim **88**, as applied to claim 86 above, it is essentially similar to claim 79 and is rejected for the same reasons as above.

Re claim **89**, as applied to claim 88 above, it is essentially similar to claim 80 and is rejected for the same reasons as above.

**6. Claims 84, 85, 93, 94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckmann US Pub No. 20030035423 A1, as applied in claim 77 above, in view of Terry, Stephen., US Pub No. 20030220119 A1.**

The rejection of claim 77 is incorporated herein. Claim 84 depends on claim 77 and only further limitations will be addressed below.

Re claim **84**, Beckmann discloses the claimed invention but is silent on transport channel being a shared transport channel. Terry in analogous art discloses a wireless communication system with a multimedia broadcast and multicast service for multicasting (paragraph [3]) so as to have a flexible mechanism to provide point to multipoint services (paragraph [11]). Terry further discloses the mapping of a CTCH mapping onto a HS-DSCH (paragraph [38]). It would have been obvious to a person having ordinary skills in the art to

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incorporate the mapping of the CTCH onto a HS-DSCH disclosed by Terry into the case one implementation disclosed by Beckmann (fig 4, also paragraph [9] where Beckmann discloses that transmitted over an existing transport channel) to have the transport channel be a shared transport channel, HS-DSCH, so as to have a flexible mechanism to provide point to multipoint service.

The rejection of claim 84 is incorporated herein. Claim 85 depends on claim 84 and only further limitations will be addressed below.

Re claim **85**, the combined teaching of Beckmann in view of Terry discloses that the shared channel is a DSCH (paragraph [38]).

Re claim **93**, as applied to claim 86 above, it is essentially similar to claim 84 and is rejected for the same reasons as above.

Re claim **94**, as applied to claim 86 above, it is essentially similar to claim 85 and is rejected for the same reasons as above.

### ***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to OPIRIBO GEORGEWILL whose telephone number is (571)270-7926. The examiner can normally be reached on Monday through Thursday, 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/OPIRIBO GEORGEWILL/  
Examiner, Art Unit 2617

/Lester Kincaid/  
Supervisory Patent Examiner, Art Unit 2617